

116. SIGNS

116.01. Bond Required. Subdivision 1. No person shall engage within the city in the business of outdoor advertising by erecting or maintaining signs, until such person shall have filed with the city a bond in the sum of \$1,000.00 with sureties to be approved by the city attorney, conditioned for the faithful observance of this code and to save and keep harmless the city from all damages, liabilities, losses or judgments that may be recovered against the city by reason of the negligent erection or maintenance of any such sign.

Subd. 2. The bonding requirements of this section shall apply to the installation or maintenance of an on-premise advertising sign unless the person installing or maintaining the sign has posted a compliance bond with the State of Minnesota pursuant to Minn. Stat. section 326B.865. For purposes of this subdivision, an on-premise advertising sign means a device, structure, fixture, or placard using graphics, symbols, or written copy that is erected on the premises of an establishment including the name of the establishment or identifying the merchandise, services, activities, or entertainment available on the premises.

116.02. License Required. No person shall engage in the business of sign or outdoor advertising by erecting or maintaining signs, within the city without being licensed under this code. Application for a license shall be made on forms to be furnished by the city clerk who shall examine each applicant for the required bond and insurance documents. Such license shall not be transferable and any license granted may be revoked by the council if the licensee violates any provision of this code. When a license is revoked a new license shall not again be granted to the same licensee for at least 30 days. The fee for such license shall be \$55.00 per year or fraction thereof. All licenses shall expire on December 31 of the license year. When a person engaged in the business of sign erecting, fails to make application for license renewal prior to the expiration date thereof, the license fee for the ensuing year shall be \$70.00. (4131, 10/7/13)

116.03. Removal of Unsafe Signs. In case any sign is installed, erected or maintained in violation of this code, or in case any sign shall become insecure or in danger of falling or otherwise unsafe, the director of building and safety shall notify by registered mail or personal service the owner, lessee or person maintaining said sign. Such person shall have 10 days to correct such violation or secure such sign so as to eliminate the danger, or thereafter the director of building and safety may remove said sign.

116.04. Rebuilding, etc. of Existing Signs. No sign shall be enlarged, rebuilt, structurally altered, or relocated except in compliance with this code and after issuance of the required permit.

116.05. Safety Requirements. The owner, lessee or person in charge of the maintenance of any sign shall see to it that the sign is in a safe condition at all times.

116.06. Revocation or Suspension of License. Subdivision 1. Whenever it appears to the Common Council that adequate grounds may exist for the suspension or revocation of any license issued pursuant to this chapter, the Council must adopt a resolution indicating the nature of the allegations made against the licensee and scheduling a public hearing to consider the matter. No suspension or revocation will be effective until the licensee has been afforded an opportunity to be heard at a public hearing.

Subd. 2. The Council may suspend or revoke any license issued pursuant to this chapter if the Council finds any of the following facts to exist:

- A. The licensee has violated any federal or state law, or city ordinance in conducting its business.
- B. The licensee has submitted false information during the franchise application process.
- C. The licensee has failed to comply with its approved routes and schedules as indicated by the City Clerk's records.
- D. The licensee has been convicted of any federal or state law, or city ordinance, that would adversely impact the applicant's ability to provide the contemplated business.

Subd. 3. Any person who installs a sign without possessing a valid license as required by this chapter may have its right to seek a franchise suspended. No suspension under this subdivision will be effective until the person has been afforded an opportunity to be heard at a public hearing. (4131, 10/7/13)

(747, 3/6/51; 1437, 2/19/68; 1658, 7/7/72; 2023, 2/20/79; 2218, 11/17/81; 3151, 2/18/98; 4131, 10/7/13)